



Atty. Dkt. No. 050251/0131



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gray et al.

Title: SURGICAL DEVICE WITH
MALLEABLE SHAFT

Appl. No.: 09/432,523

Filing Date: 3 November 1999

Examiner: W. Lewis

Art Unit: 3731

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OFFICE OF PETITIONS

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**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Attn: OFFICE OF PETITIONS

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on 9 March 2000, which set a six-month period under 35 U.S.C. § 133 for response. The Applicants hereby petition for revival of the above-identified application.

The payment for the required fee stated in 37 C.F.R. § 1.17(m) for this petition in the form of a check in the amount of \$1,240.00 is enclosed herewith.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Assistant Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450.

Applicants hereby state that the entire delay in filing a response to the Office Action from the due date of the Office Action until the filing of this petition, was

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unintentional. No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before 8 June 1995.

Respectfully submitted,

Date 11/18/00

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